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SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, the BRITISH VIRGIN ISLANDS, the CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, the TURKS AND CAICOS ISLANDS AND the UNITED STATES VIRGIN ISLANDS

Omnibus resolution adopted by the Special Committee at its 1393rd meeting, on 14 August 1991

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GENERAL

The Special Committee,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands,

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and recalling all resolutions and decisions of the United Nations relating to those Territories including, in particular, those resolutions adopted by the General Assembly at its forty-fifth session on the individual Territories covered by the present resolution,

Recalling also General Assembly resolution 1541 (XV) of 15 December 1960 containing the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of those Territories, in view of the target set by the United Nations to eradicate colonialism by the year 2000,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability, diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Mindful that United Nations visiting missions provide a means of ascertaining the situation in the small Territories, and considering that the possibility of sending further visiting missions to those Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Bearing in mind the fragile economy of the small Territories and their vulnerability to natural disasters and environmental degradation, and recalling General Assembly resolutions and the recommendations of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990, 1/

Taking note of the conclusions and recommendations of the United Nations regional seminars on decolonization held in 1990 in commemoration of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as the position taken by the territorial Governments contained in the reports of the seminars,

1. Approves the report of the Subcommittee on Small Territories; 2/

2. Reaffirms the inalienable right of the people of those Territories to self-determination and independence in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

1/ A/CONF.147/5-TD/B/AC.46/4.

2/ A/AC.109/L.1765 and Corr.1 and 2.

3. Reaffirms that it is ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly and, in that connection, calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in General Assembly resolution 1541 (XV);

4. Reiterates that it is the responsibility of the administering Powers to create such conditions in the Territories as will enable their people to exercise freely and without interference their inalienable right to self-determination and independence;

5. Also reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of those Territories of their inalienable right to self-determination;

6. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of those Territories, and recommends that priority should continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Urges the administering Powers, in cooperation with the territorial Governments concerned, to take or continue to take effective measures to safeguard and guarantee the inalienable right of the peoples of those Territories to own, develop or dispose of the natural resources of those Territories, including marine resources, and to establish and maintain control over the future development of those resources;

8. Also urges the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. Calls upon the administering Powers to continue to take all necessary measures, in cooperation with the respective territorial Governments, to counter problems related to drug trafficking;

10. Urges the administering Powers to foster or continue to foster close relations between the Territories and other island communities in their respective regions, and to promote cooperation between the respective territorial Governments and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

11. Also urges the administering Powers to cooperate or continue to cooperate with the Special Committee in its work by providing timely and up-to-date information for each Territory under their administration, in accordance with Article 73 e of the Charter, and by facilitating the dispatch of visiting missions to the Territories to secure first-hand information thereon and to ascertain the wishes and aspirations of the inhabitants;

12. Appeals to the administering Powers to continue or to resume their participation in future meetings and activities of the Special Committee and to ensure the participation in the work of the Special Committee of representatives of the Non-Self-Governing Territories;

13. Urges Member States to contribute to the efforts of the United Nations to achieve the eradication of colonialism by the year 2000, and calls upon them to continue to give their full support to the Special Committee's action towards the attainment of that objective;

14. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of those Territories;

15. Requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the text entitled "Challenges and opportunities: A strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations; 1/

16. Decides to continue to devote special attention to the question of the small Territories and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence and to report thereon to the General Assembly at its forty-seventh session.

B

INDIVIDUAL TERRITORIES

I. American Samoa

The Special Committee,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America as the administering Power,

Recalling the dispatch in 1981 of a United Nations visiting mission to the Territory,

1. Welcomes the measures taken by the territorial Government during 1990 to implement the American Samoa Environmental Act by protecting and conserving marine resources and by preventing the pollution of its territorial waters;

2. Calls upon the administering Power, in cooperation with the territorial Government, to promote the economic and social development of the Territory, to reduce its heavy economic and financial dependence on the United States and to take measures to create more employment opportunities for the people of the Territory;

3. Notes that a period of ten years has elapsed since a United Nations mission visited the Territory.

II. Anguilla

The Special Committee,

Referring to resolution A above,

Aware of the desire of the people of Anguilla for a higher level of self-government,

Recognizing the contribution of Anguilla's marine resources to its local economy,

Cognizant of the economic and social impact of unemployment in the Territory's communities,

1. Takes note of the results of the general elections of February 1989 and the statement of the Chief Minister that the Government of Anguilla had no intention of moving towards independence during its current term of office;

2. Notes with concern that the administering Power continues to deny further delegation of competence over the Governor's special areas of responsibility to ministers of the territorial Government prior to setting a time-frame for independence;

3. Welcomes the measures taken by the territorial Government and the Organization of Eastern Caribbean States designed to protect and conserve marine resources and to control the activities of foreign fishermen operating illegally in the area, but expresses its preoccupation over the continued illegal operation of foreign fishing vessels within the territorial waters of Anguilla;

4. Notes with satisfaction the measures being taken by the territorial Government, aimed at alleviating the problems of unemployment and at providing increased job opportunities, and urges the administering Power, in cooperation with the territorial Government, to continue to provide the assistance

necessary to increase the employment of local personnel in the civil service and other sectors of the economy.

III. Bermuda

The Special Committee,

Referring to resolution A above,

Reaffirming its strong conviction that the presence of military bases and installations in the Territory could, in certain circumstances, constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting that, following the general elections of 1989 during which the ruling United Bermuda Party retained power in the House of Assembly, its leader, the Prime Minister, stated that the question of independence was no longer a major issue and that his Government would pay special attention to the problem of drug trafficking and the laundering of illegal money, as well as to the question of overcrowding of the Territory,

Noting also the view of the leader of the Progressive Labour Party that independence would help to unify the people of Bermuda, and further noting that the Governor of Bermuda has stated that the complexities confronting Bermuda require different solutions and call for larger participation of individuals from all segments of the population,

Noting that in January 1988 the Government of Bermuda started work on a new development plan for the Territory and announced that it would involve the public as closely as possible in its preparation,

Noting also that the Territory has never been visited by a United Nations visiting mission,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory would not constitute an obstacle to the implementation of the Declaration nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Calls upon the administering Power, in cooperation with the territorial Government, to take specific measures aimed at ensuring the Territory's economic and social stability, taking into account the recommendations made by the Working Group appointed in January 1989, to study the main area covered by the development plan;

3. Calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to drug trafficking;

4. Calls upon the administering Power to facilitate the dispatch of a United Nations visiting mission to the Territory.

IV. British Virgin Islands

The Special Committee,

Referring to resolution A above,

Taking note of the general elections held in the Territory on 12 November 1990, and noting also that the question of the future political status of the Territory was not an election issue,

Noting the participation of the Territory as an associate member in some regional and international organizations and its applications for similar membership in the Food and Agriculture Organization of the United Nations and in the Caribbean Community,

Recalling General Assembly resolution 44/3 of 12 October 1989 on the emergency assistance to the British Virgin Islands and other Caribbean countries that were struck by Hurricane Hugo,

Taking into account the statement of the Chief Minister that the economy of the Territory recorded sustained growth in 1990, and the report of the Caribbean Development Bank that that favourable economic trend would probably continue,

Recalling the dispatch in 1976 of a United Nations visiting mission to the Territory,

Noting the substantial proportion of land owned by expatriates and the concerns of local groups and individuals over the sale of land to foreigners, which could give rise to environmental issues and which interferes with the right of the local people to free access to their beaches,

1. Calls upon the administering Power to facilitate the admission of the British Virgin Islands to associate membership in the Food and Agriculture Organization of the United Nations and in the Caribbean Community, as well as its participation in other regional and international organizations as identified by the territorial Government;

2. Also calls upon the administering Power, in cooperation with the territorial Government, to provide the necessary assistance to the Territory to develop and diversify its economy, through, inter alia, the revitalization of agriculture, the promotion of industrial development and the establishment of intersectoral linkages;

3. Notes with satisfaction the measures being taken by the territorial Government to prevent drug trafficking and money laundering and urges the administering Power to continue its assistance to the Territory in these endeavours;

4. Urges the regional and international financial institutions, as well as the specialized agencies and other organizations of the United Nations system to assist the Government of the British Virgin Islands in identifying its medium- and long-term needs and to increase their participation in the recovery and reconstruction of the Territory;

5. Notes with regret that a period of fifteen years has elapsed since a United Nations mission visited the Territory.

V. Cayman Islands

The Special Committee,

Referring to resolution A above,

Taking note of the constitutional review being conducted in the Cayman Islands by the Constitutional Commission appointed by the administering Power,

Noting the measures being taken by the territorial Government to promote agricultural production with a view to reducing the Territory's heavy dependence on imported provisions,

Expressing its concern that property and land continue to be owned and developed largely by foreign investors,

Noting that a large proportion of the labour force of the Territory consists of expatriates and that there is a need for the training of nationals in the technical, vocational, managerial and professional fields,

Noting also the action taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting with satisfaction the efforts of the territorial Government, the Governments of other countries of the region and of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to prevent and repress illicit activities such as money laundering, funds smuggling, false invoicing, other forms of white-collar fraud as well as the use and trafficking of illegal drugs,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to expedite the constitutional review exercise in the Territory in close cooperation with the territorial Government and in conformity with the wishes and aspirations of the Caymanian population with a view to enabling the people of the Cayman Islands to exercise their inalienable right to self-determination;

2. Calls upon the administering Power, in consultation with the territorial Government, to continue to promote the agricultural development of the Cayman Islands by aiming at reducing the Territory's dependence on imported food supplies;

3. Urges the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current localization programme;

4. Calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to money laundering, funds smuggling, various forms of white-collar crimes, as well as to drug trafficking;

5. Notes with regret that a period of fourteen years has elapsed since a United Nations mission visited the Territory.

VI. Guam

The Special Committee,

Referring to resolution A above,

Reaffirming its strong conviction that the presence of military bases and installations in the Territory could, in certain circumstances, constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Taking note that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power regarding the presence of military bases and installations in the Territory,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory would not constitute an obstacle to the implementation of the Declaration nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Urges the administering Power to support measures by the territorial Government aimed at removing constraints to growth in commercial fishing and agriculture;

4. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

VII. Montserrat

The Special Committee,

Referring to resolution A above,

Recalling the devastation caused by Hurricane Hugo in September 1989 and the recovery efforts of the territorial Government, in conjunction with the administering Power and the international community,

Taking into account the membership of Montserrat in regional and international bodies and the statement of the representative of the United Nations Educational, Scientific and Cultural Organization regarding the Territory's outstanding request for readmission to associate membership in that organization,

Noting the statement of the Chief Minister that the current rate of economic growth could not be maintained,

Taking note of the policy of the territorial Government to control the growth and upgrade the efficiency of the public service,

Recalling the dispatch of a United Nations visiting mission to the Territory in 1975 and 1982,

1. Urges the administering Power to continue to intensify and expand its programme of aid in order to accelerate the development of the economic and social infrastructure of the Territory;

2. Reiterates its call upon the administering Power, in cooperation with the Government of Montserrat, to take the necessary steps to facilitate

the readmission of Montserrat as an associate member of the United Nations Educational, Scientific and Cultural Organization;

3. Requests the administering Power to secure the assistance of the specialized agencies and other organizations of the United Nations system as well as regional and other multilateral financial institutions, in the strengthening, development and diversification of the economy of Montserrat;

4. Urges the administering Power, in cooperation with the territorial Government, to provide the necessary assistance for the training of local personnel in the skills essential to the development of the Territory and to encourage skilled workers to remain in the Territory;

5. Notes with regret that a period of nine years has elapsed since a United Nations mission visited the Territory.

VIII. Tokelau

The Special Committee,

Referring to resolution A above,

Having heard the statement of the representative of New Zealand, the administering Power,

Noting the continuing devolution of power to the local authority, the General Fono (Council), and mindful that the cultural heritage and traditions of the people of Tokelau should be taken fully into account in the evolution of Tokelau's political institutions,

Taking note of Tokelau's endeavours to develop its marine and other resources, and its efforts to diversify the income-earning ability of its population,

Welcoming the information that Tokelau's wish to pursue avenues that give greater political autonomy to its leadership remains keen, while it wishes to maintain its current relationship with the administering Power,

Noting with appreciation the relief assistance extended to Tokelau by the administering Power, other Member States and international organizations, in particular the United Nations Development Programme and the Office of the United Nations Disaster Relief Coordinator, following the natural disasters caused by cyclone Ofa in February 1990,

1. Encourages the Government of New Zealand, the administering Power, to continue to respect fully the wishes of the people of Tokelau in carrying out the Territory's political and economic development in order to preserve their social, cultural and traditional heritage;

2. Calls upon the administering Power, in consultation with the General Fono (Council), to continue to expand its development assistance to Tokelau in order to promote the economic and social development of the Territory;

3. Takes note of Tokelau's plan to transfer the Office for Tokelau Affairs from Apia in Western Samoa to Tokelau itself, as well as New Zealand's support for the transfer, and invites the administering Power to continue to provide maximum assistance to the Territory in this regard;

4. Invites all governmental and non-governmental organizations, financial institutions, Member States and organizations of the United Nations system to grant or to continue to grant Tokelau special emergency economic assistance to mitigate the effects of cyclone Ofa and to enable the Territory to meet its medium- and long-term reconstruction and rehabilitation requirements.

IX. Turks and Caicos Islands

The Special Committee,

Referring to resolution A above,

Noting the entry into force of the new Constitution under the Turks and Caicos Islands Constitution Order 1988,

Noting the holding of general elections on 3 April 1991 and the return to power of the Progressive National Party after three years in opposition,

Noting the establishment under the 1988 Constitution, of a Public Service Commission to advise the Governor on civil service matters, and of a Public Service Training Board under the Commission to advise on, and assist in, the supervision of policies and programmes for the training of public officers at all levels,

Noting the enactment in May 1990 of an Immigration Bill designed to effect improved regulations governing the status of immigrants and migrant workers,

Noting with satisfaction the arrangements made to make university-level education available to the Turks and Caicos Islanders,

Recalling the dispatch in 1980 of a United Nations visiting mission to the Territory,

1. Urges the administering Power, in consultation with the territorial Government, to continue to provide the necessary assistance for the localization of the civil service at all levels and for the training of local personnel;

2. Notes with satisfaction the opening in February 1990 of the School of Field Studies on South Caicos, the first university-level institution in the Territory, as well as the arrangements made by the Government of the Bahamas enabling qualified students from the Islands to attend the College of the Bahamas on scholarships provided by the Government of the Bahamas;

3. Takes note that, as a result of the manpower review undertaken in 1989, a number of measures have been taken to strengthen and restructure the public service, including the establishment of new posts and the regrading of existing posts;

4. Notes with regret that a period of eleven years has elapsed since a United Nations mission visited the Territory.

X. United States Virgin Islands

The Special Committee,

Referring to resolution A above,

Having heard the statement of the representatives of the United States of America as the administering Power,

Having also heard the statement of the representatives of the Governor of the United States Virgin Islands,

Noting that legislation has been introduced in the Virgin Islands Senate to postpone the referendum on political status until 1993,

Noting also that the extension to ninety days of the residency requirement for voting has not addressed the concerns of the representatives of the territorial Government and those of the Status Commission regarding the eligibility to participate in a referendum of self-determination,

Noting further that discussions are continuing between the territorial Government and the administering Power over the transfer of the ownership of Water Island to the Territory at the end of its lease in December 1992,

Taking note of the continued concerns of the Long Bay Coalition over the reclamation and development of submerged land at Long Bay in the Charlotte Amalie Harbour,

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and in the Caribbean Community,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory and the outstanding request by the territorial Government for a further visiting mission to the Territory,

1. Calls upon the administering Power, in cooperation with the territorial Government, to consider a review of the residency requirement for those eligible to participate in a genuine exercise of the right to self-determination in the United States Virgin Islands;

2. Urges the administering Power to ensure the transfer of Water Island to the Territory at the end of 1992 and to further ensure that the permanent sovereignty of the territorial Government over the Territory's natural resources are fully respected and safeguarded;

3. Requests the administering Power to assist the Government of the United States Virgin Islands in securing the means to acquire the reclaimed and submerged land at Long Bay in the Charlotte Amalie Harbour from the West Indies Company;

4. Reiterates its requests to the administering Power to facilitate the participation of the Territory in the Organization of Eastern Caribbean States and the Caribbean Community, as well as in various international and regional organizations, including the Caribbean Group for Cooperation and Economic Development of the World Bank;

5. Calls upon the administering Power to respond favourably to the request of the territorial Government for the dispatch of a United Nations visiting mission to the Territory.